

**HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY**

WRIT APPEAL No. 443 of 2007

Between:

Garugubelli Rama Rao

... Appellant

AND

The Joint Collector-cum-Chairman,
District Level Sand Auction Committee,
Srikakulam, Srikakulam District
& two others.

... Respondents

: JUDGMENT :

Counsel for the Appellant : Shri N. Bharath Babu

Counsel for respondent Nos.1&3 : Government Pleader for
Panchayat Raj

Counsel for respondent No.2 : Government Pleader for
Mines and Geology

Dated: 2nd July, 2007

Per G.S. SINGHVI, CJ.

This is an appeal for setting aside order dated 09.05.2007 passed by the learned Single Judge in Writ Petition No.10142 of 2007 whereby he rejected the appellant's prayer for issue of a mandamus to the respondents to give temporary permits to him for quarrying sand in Singuru Sand Ramp, Atchipolavasa Gram Panchayat, Ponduru Mandal, Srikakulam District.

In the pre-lunch session, the learned Government Pleader, on being pointed out by this Court that the Director, Mines and Geology did not have the jurisdiction to issue instructions on 19.04.2007 for grant of temporary permits in violation of Rule 9(M)(2) of the Andhra Pradesh Minor Mineral Concession Rules 1966, sought an adjournment to seek instructions. His request was accepted. In the post lunch session, he has placed before us Memo No.5864/P1/2007 dated 02.07.2007 issued by the Director of Mines and Geology whereby the instructions contained in circular memo dated 19.0.2007 have been withdrawn.

Learned counsel for the appellant says that in view of the above development his client may be permitted to withdraw this appeal.

In view of the statement of the learned counsel, the appeal is dismissed as withdrawn.

As a sequel to dismissal of the appeal as withdrawn, WAMP.No.826 of 2007 filed by the appellant for interim relief is also dismissed.

G.S. SINGHVI, CJ.

C.V. NAGARJUNA REDDY, J.

Date: 02.07.2007
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